

The untimely death of Dominic Durden, 30, is particularly troubling since it exposes so many of the problems not only with our criminal justice system but with our DUI laws, unlicensed driving laws and how we deal with illegal aliens even after they have committed serious crimes.

Dominic was a sheriff dispatcher with the Riverside Sheriff's office but as with so many of these cases the story is really not about Dominic. The story is about all of the victims who should be alive today if the people we give the responsibility to protect us just do their jobs. Nothing heroic, nothing life threatening to them just doing their job is all it will take.

Juan Zacarias Tzun was an illegal alien from Guatemala. On November 27, 2008 he was arrested for robbery and grand theft, both felonies. He pled guilty to the grand theft charge and the robbery charge was dropped. He was sentenced to 3 years' probation. Why wasn't he deported?

While still on probation on August 20, 2010 he was arrested for driving under the influence and driving under the influence with a BAC of .08 or higher, both misdemeanors. He was also given an infraction for failure to pay part of a fine under the grand theft charge. He was driving without a license but was not charged and his car was not impounded. He pled guilty to both charges and was sentenced to 3 years' probation. Why wasn't he deported?

While still on probation he was arrested on May 13, 2012 for driving under the influence, driving under the influence with a BAC of .08 or higher, driving without a license, driving with a prior DUI and refusing a chemical test, all misdemeanors. He was also given an infraction for driving while on probation for a DUI BAC equal to or greater than .01. His car was not impounded. He was released on \$5,000 bail pending his hearing for all of the latest charges. Why wasn't he detained by ICE and deported?

While out on bail and still waiting for his hearing date for his May 13, 2012 arrest on July 12, 2012, two months later he killed Dominic Durden. He was charged with vehicular manslaughter without gross negligence and driving without a license, both misdemeanors. He is currently out on bail. ICE did detain him and a judge set bond at \$10,000. He paid it in full and is out on bond. He is clearly a flight risk but seems to have no fear of "the system". Why was he allowed out on bail and why did a judge grant him bond on his detention.

Has he not caused enough grief? Do we need to make this story worse when he kills again? Is our system so broken that we can't identify or refuse to recognize bad people?

| Dates      | Action   | Charge        | Severity    | Description  | Sentence          | End Date   | Status | \$\$\$  |
|------------|----------|---------------|-------------|--|-------------------|------------|--------|---------|
| 11/27/2008 | Arrest   | PC211         | Felony      | Robbery is the felonious taking of personal property in the possession of another, from his person or immediate presence, and against his will, accomplished by menace of force or fear. |                   |            |        |         |
| 11/27/2008 | Arrest   | PC 487 (C)    | Felony      | Grand Theft  |                   |            |        |         |
| 3/26/2009  | Plea     |               |             | PC 487 (C) Guilty; PC 211 Dismissed  | 3 years probation | 3/25/2012  | Out    |         |
| 8/20/2010  | Arrested | VC M23152(A)  | Misdemeanor | Driving Under the Influence  |                   |            |        |         |
| 8/20/2010  | Arrested | VC M23152(B)  | Misdemeanor | Driving Under the Influence BAC .08 or Higher  |                   |            |        |         |
| 8/20/2010  | Arrested | PC 1214.1 (A) | Infraction  | Failure to Pay   |                   |            |        |         |
| 11/16/2010 | Plea     |               |             | Guilty both Charges  | 3 years probation | 11/15/2013 | Out    |         |
| 5/13/2012  | Arrested | VC M23152(A)  | Misdemeanor | Driving Under the Influence  |                   |            | Bail   | \$5,000 |
| 5/13/2012  | Arrested | VC M23152(B)  | Misdemeanor | Driving Under the Influence BAC .08 or Higher  |                   |            | Bail   |         |
| 5/13/2012  | Arrested | VC 12500(A)   | Misdemeanor | Driving without a license  |                   |            | Bail   |         |
| 5/13/2012  | Arrested | VC 23154(A)   | Infraction  | Driving while on Probation for DUI BAC => .01  |                   |            | Bail   |         |
| 5/13/2012  | Arrested | VC P23152(A)  | Misdemeanor | Prior/DUI  |                   |            | Bail   |         |
| 5/13/2012  | Arrested | VC M23578     | Misdemeanor | 23512 conviction / refused chem test BAC => .15  |                   |            | Bail   |         |
| 7/12/2012  | Arrested | PC M192(C)(2) | Misdemeanor | Vehicular Manslaughter without gross negligence  |                   |            | Bail   | \$7,500 |
| 7/12/2012  | Arrested | VC 12500(A)   | Misdemeanor | Driving without a license  |                   |            | Bail   |         |
| ???        | Detained |               |             | Detained by ICE for Deportation  |                   |            |        |         |
| ???        |          |               |             | Released on \$10,000 bond  |                   |            |        |         |

Juan Zacarias Tzun  
DOB 12/27/1980